

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS FALCON SUTHERLAND,

Defendant.

**CR-18-55-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 14, 2020. (Doc. 39.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 9, 2020. (Doc. 36.) The United States accused Sutherland of violating his conditions of supervised release 1) by failing to report for substance abuse testing; 2) by consuming alcohol; and; 3) by using methamphetamine. (Doc. 33).

At the revocation hearing, Sutherland admitted that he had violated the conditions of his supervised release 1) by failing to report for substance abuse testing; 2) by consuming alcohol; and; 3) by using methamphetamine. (Doc. 36.) Judge Johnston found that the violations Sutherland admitted proved to be serious and warranted revocation, and recommended that Sutherland receive a custodial sentence of 3 months with 21 months of supervised release to follow. Sutherland should serve the first 60 days of supervised release in a secure inpatient substance abuse treatment facility as directed by his probation officer. Sutherland was advised of the 14 day objection period and his right to allocute before the undersigned. (Doc. 36.)

The violations prove serious and warrant revocation of Sutherland's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 39) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Thomas Falcon Sutherland be sentenced to 3 months with 21 supervised release to follow. With the first 60 days of supervised release in a secure inpatient substance abuse treatment facility, as directed by his probation officer.

DATED this 29th day of September, 2020.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive, flowing style.

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Brian Morris, Chief District Judge  
United States District Court

